

### **Remarks**

In view of the above amendments and the following remarks, reconsideration of the rejection and further examination are requested.

Claims 1-21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shah-Nazaroff (US 6,157,377) in view of Christopoulos (US 2001/0047517).

Claims 1, 8 and 15 have been amended so as to further distinguish the present invention, as recited therein, from the references relied upon in the rejection. Further, claims 2-4, 7, 9-11, 14, 16-18 and 21 have been amended in light of the amendments to claims 1, 8 and 15.

The above-mentioned rejection is submitted to be inapplicable to the amended claims for the following reasons.

Claim 1 is patentable over the combination of Shah-Nazaroff and Christopoulos, since claim 1 recites a contents distribution system including, in part, a content storage section operable to store a content and specific data concerning a predetermined special effect to be applied to a portion of the content and to impede reproduction of an original substance of the portion of the content, the content and the specific data being stored as a pair; a content management data setting section operable to set management data, wherein the management data contains a flag indicating whether or not to apply the predetermined special effect to the portion of the content during reproduction, and billing conditions which need to be satisfied in order to reproduce the portion of the content without the predetermined special effect; and a reproduction control section operable to reset the flag when the billing conditions contained in the management data are satisfied and to reproduce the content without the predetermined special effect to the portion of the content in accordance with the specific data. The combination of Shah-Nazaroff and Christopoulos fails to disclose or suggest these features of claim 1.

Shah-Nazaroff discloses a programming transmission system 100 including a client system 110, communications media 120, broadcast sources 130 and a server system 140, and allows for the purchase of an “upgraded media feature.” The “upgraded media feature” of Shah-Nazaroff includes upgrades related to audio effects, video resolution and video quality. For example, Shah-Nazaroff discloses that the video resolution of content can be improved. (See column 3, lines 7-44; column 2, lines 25-27; and Figure 1).

When an “upgraded media feature” is purchased, a user selects an upgraded media feature from a user interface 210 of the client system 110. Information selected from the user

interface 210 is sent via the communications media 120 to the server system 140. A processing server 310 of the server system 140 orders the media feature, which has been selected from the user interface 210, from one of the broadcast sources 130. Depending on which one of the “upgraded media features” is to be provided, the processing server 310 receives a token from the broadcast sources 130. Then, the processing server 310 provides the token to the client system 110 so that the client system 110 can receive the upgraded media feature. Next, a billing server 320 bills the user’s account. Thereafter, the broadcast is received by the client system 110 with the upgraded media feature. (See column 6, lines 1-15 and Figure 4).

Based on the above discussion, it is apparent that Shah-Nazaroff discloses that the system 100 allows a user to purchase a number of media feature upgrades. However, it is apparent that the system 100 is configured such that data related to a media feature before upgrading and the media feature after upgrading are transmitted separately. (See column 4, lines 22-53). The system 100 of Shah-Nazaroff does not allow a user to confirm an “upgraded media feature” before purchasing because, before purchasing, the system only has the media feature in its non-upgraded form. Therefore, the system 100 cannot confirm the substance of an upgraded media feature prior to its purchasing. Further, the system 100 also requires additional communication time and cost in order to obtain the upgraded media feature.

In contrast, the claimed content storage section, content management data setting section, and reproduction control section are such that when the billing conditions are satisfied, the special effects to the portion of the content can be reset by resetting the flag, thereby allowing reproduction of the original substance of the portion of the content. Therefore, it is unnecessary to again obtain the content in which the special effects are reset.

In other words, Shah-Nazaroff fails to disclose or suggest that the server system 140 stores content and specific data concerning a predetermined special effect to be applied to a portion of the content and to impede reproduction of an original substance of the portion of the content, the content and the specific data being stored as a pair, sets management data, wherein the management data contains a flag indicating whether or not to apply the predetermined special effect to the portion of the content during reproduction, and billing conditions which need to be satisfied in order to reproduce the portion of the content without the predetermined special effect, and resets the flag when the billing conditions contained in the management data are satisfied

and to reproduce the content without the predetermined special effect to the portion of the content in accordance with the specific data.

Since Shah-Nazaroff fails to disclose or suggest the above-discussed features of claim 1, Christopoulos must disclose or suggest these features in order for the combination of Shah-Nazaroff and Christopoulos to render claim 1 obvious.

Regarding Christopoulos, it discloses a network that performs transcoding of multimedia data. The network includes a server 110 including a multimedia storage 113, a gateway 120 including a transcoder 125, and a client 135. The multimedia storage 113 stores multimedia data and transcoding hints, which are used for reformatting the multimedia data. If the multimedia data is a still image, the associated transcoder hints can be related to bit rate, resolution, image cropping and region of interest. When the client 135 requests the multimedia data from the server 110, the multimedia data can be reformatted by the transcoder 125 included in the gateway 120 based on the transcoding hints associated with the multimedia data and the capabilities of the client 135 prior to being forwarded to the client 135, so that the client 135 will be able to process the multimedia data. (See paragraph [0035] and [0036] and Figures 1 and 2).

Based on the above discussion, it is apparent that the network of Christopoulos is such that if the client 135 does not have the capability to process the multimedia data in its original form, the transcoder 125 in the gateway 120 will modify the multimedia data, based on the transcoding hints stored in the multimedia storage 113, such that the client 135 will then be able to process the multimedia data. In other words, the purpose of the transcoding hints is to allow the client 135 that otherwise would not be able to process the multimedia data to process the multimedia data by automatically simplifying it when necessary. On the other hand, the claimed content storage section stores specific data concerning a predetermined special effect to be applied to a portion of a content and to impede reproduction of an original substance of the portion of the content. It is apparent that the transcoding hints differ from the specific data because the specific data is related to a predetermined special effect which is known to the user before the user purchases the content, such that the predetermined special effect promotes the purchasing of the content.

Further, neither the server 110 nor the gateway 120 of Christopoulos is operable to set management data, wherein the management data contains a flag indicating whether or not to apply the predetermined special effect to the portion of the content during reproduction, and

billing conditions which need to be satisfied in order to reproduce the portion of the content without the predetermined special effect, and reset the flag when the billing conditions contained in the management data are satisfied and to reproduce the content without the predetermined special effect to the portion of the content in accordance with the specific data. Therefore, it is apparent that Christopoulos fails to address the deficiencies of Shah-Nazaroff. As a result, the combination of Shah-Nazaroff and Christopoulos fails to render claim 1 obvious.

As for claim 8, it is patentable over the references relied upon in the rejection for reasons similar to those discussed above in support of claim 1. That is, claim 8 recites, in part, storing a content and specific data concerning a predetermined special effect to be applied to a portion of the content and to impede reproduction of an original substance of the portion of the content, the content and the specific data being stored as a pair; setting management data, wherein the management data contains a flag indicating whether or not to apply the predetermined special effect to the portion of the content during reproduction, and billing conditions which need to be satisfied in order to reproduce the portion of the content without the predetermined special effect; and resetting the flag when the billing conditions contained in the management data are satisfied, which features are not disclosed or suggested by the references.

As for claim 15, it is also patentable over the references relied upon in the rejection for reasons similar to some of those set forth above in support of claim 1. That is, claim 15 recites, in part, a content storage section operable to store a content and specific data concerning a predetermined special effect to be applied to a portion of the content and to impede reproduction of an original substance of the portion of the content, the content and the specific data being stored as a pair; and a content management data setting section operable to set management data, wherein the management data contains a flag indicating whether or not to apply the predetermined special effect to the portion of the content during reproduction, and billing conditions which need to be satisfied in order to reproduce the portion of the content without the predetermined special effect, which features are not disclosed or suggested by the references.


Because of the above-mentioned distinctions, it is believed clear that claims 1-21 are allowable over the references relied upon in the rejection. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner

as to result in, or otherwise render obvious, the present invention as recited in claims 1-21. Therefore, it is submitted that claims 1-21 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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